

Springerville Town Council
Minutes
August 18, 2004

Present: Kay Dyson, Mayor, Vice-Mayor Mary Nedrow, Council members Mark Baca, Scott Cray and Pete Hunt

Staff: Scott Garms Town Manager, Val Cordova Town Clerk, Sterling Solomon Town Attorney, Chief Steve West, Larisa Bogardus Community Dev. Dir. James Hamblin Finance Dir. Tom Malone Public Works Dir.

Public: Candy Cook SMAC committee, Dave and Amy Pulsifer, Betty Amator, Kay and Phelps Wilkins, Scott Silva, Jim Muth, Suzie Silva and Rosalie Stephens.

1. Mayor Dyson called the meeting to order at 6:02pm
2. Councilman Hunt led the Pledge of Allegiance and Invocation by Councilman Cray.
3. Public Participation: None
4. Manager, Council, Chamber and SMAC Reports:

Councilman Pete Hunt reported he was very impressed with the Chamber of Commerce. He attended the Chamber Retreat last week and felt that they have great focus and plans for the coming year. He announced that Larisa deserved a round of applause as the out going president and a great new president coming up. He also attended the Save our School meeting where the floor plan was discussed and participated in the planning and zoning meeting. They are currently working on some aspects on developing the Master Plan. They missed the opportunity to get a grant but will work on other avenues.

Mayor Dyson reported she attended the Social Services Community Block grant meeting in St. Johns who are looking for more money to meet the needs of those in the poverty levels. There will be a Little Colorado Behavioral Health meeting here in Springerville on September 10th.

To celebrate Community Health week, candidates running for state office were taken on a tour of the St. Johns and the Round Valley clinics to acquaint them with community health centers and how they are funded.

Contract renewals for St. Johns EMS for emergency room services and North Country Clinics which provide primary care in St. Johns and Round Valley was discussed during the Health Care District meeting. The local ambulance is considering withdrawing their request for funds. They also had a request for AED's from the Springerville Police department. This will be accomplished through a resolution with the Health Care District in association with the town.

She and Mr. Garms attended the EDAC annual meeting in St. Johns. The forestry stewardship contract was awarded to a local company which should bring in about thirty new jobs. They also met with the Center for Desert for Archaeology regarding the National Park Service Casa grant. This grant was turned down because there were no funds to match. They asked the town to apply for a Humanities Council Planning grant to match the National Park Service grant and would administer the grant. They proposed a Little Colorado National Heritage area designation from Congress. This would include almost everything on the Trail of Many Tracks. This would bring money into our area for tourism and Casa. They will do a presentation at the Mayor, Managers meeting in October. A portion of this effort will be to establish the "Casa Malpais Master Planning Task Force". She invited anyone interested on serving on this task force to call Mr. Garms.

Jon Kyl will be in town on August 21st to talk about all the things happening. Rick Renzi will be here on August 24th from 6:00 to 7:30 at the Eagar Community room. She encouraged the Save the School committee to be there.

She will be attending the NACOG meet on August 26th and they are looking forward to attending the Arizona League of Cities and Towns Annual Conference in Tucson at the end of August.

Mr. Garms introduced and welcomed James Hamblin our new finance director who is a Springerville native and comes to us with a lot of experience. Larisa Bogardus will serve as our Community Development Director and is well known. Both are highly regarded with diverse backgrounds that will benefit the town greatly. Both will be a good compliment to our department head management team.

He reported that the major rain event that took place last Friday the 13th created quite a bit of flooding. Our public works department is continuing to do clean up and is addressing some issues to minimize the impact on Main Street. They are trying to find ways to mitigate the erosion problem around grave yard hill.

The ATV Jamboree is scheduled for September 9th through the 11th and the State of Arizona has permitted the use of State highways, US 60 in Springerville, State Route 260 in Eagar and the State highway in Alpine and various other areas.

He reported that Dan Slaysman and Bridgette Laney both resigned from the planning and zoning commission. He said that Larisa will be discussing the possibility of going from seven to five members with the commission instead of trying to find volunteers to fill the vacancies. If they agree it will be brought back to the council for a change in ordinance.

Candy Cook, Chairperson of the Airport Committee for the Airport Advisory Committee briefly updated the council on what the committee is working on and would come once a month to give a report. She said their goal is to have the airport safe and revenue producing. FAA and ADOT have made grant money available to help keep airports safe, up to date and maintained. FAA feels that Springerville has dropped out of the grant loop by default. Three representatives from ADOT were present at their last meeting. They urged the committee to attend a Capital Improvement Plan Joint Committee meeting in Phoenix the week of September 13th with ADOT and FAA and to bring a wish list of things they need to improve their airports. They will assist them through the grant process. Ms. Cook asked that a town staff person, a committee member and the airport manager attend this meeting.

She reported that the committee is assisting the town in publicizing a RFP to find an airport consultant who will work with the town through grant dollars to update the Master Plan. They generated an airport rules and regulations document and are in the process of developing airport minimum standards. They are also investigating hangar grants and other regional resources that could potentially contribute financially to its maintenance.

5. Minutes: Consider approval of the minutes from the special town council meeting held on July 22, 2004 at 6:00p.m.

Motion by Scott Cray/Mary Nedrow to approve the minutes of July 22nd meeting.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

6. Minutes: Consider approval of the minutes from the town council meeting held on August 4, 2004 at 6:00pm

Motion by Pete Hunt/Mark Baca to approve the minutes of August 4, 2004.

Vote:	Ayes:	Kay Dyson Mary Nedrow Mark Baca Scott Cray Pete Hunt
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7. Old School Project: Discussion and action concerning an update on the old school project.

Mr. Phelps Wilkins reported that the two committees had met and come up with a proposed draft of the recommendations for floor space use and a sign that can be placed in front of the old school to make people aware. Possible names such as Round Valley Heritage Plaza or possibly calling it something with White Mountains but something beyond just Springerville was also a topic of discussion. He said the things they would like to see in there would be a museum, Casa Malpais, and archival library and a public meeting room that can be made available to the public. They considered the grounds around the front of the school building to be used for concerts as part of the landscaping and a dedicated space for fountains or statutes. Scott Silva reviewed the proposed draft and said they wanted public input.

Mr. Garms said he received the report from Mr. Slaysman. He asked for a timeline from him and was told that the engineering analysis would go to the architect next week. Mr. Wolf has the RFP criteria but won't put it together until they know what is going to happen with the roof. There will be two phases of remediation depending on how the roof stabilization is done. He felt that the RFP hinges on the engineer and what is going to be done and the type of roofing material.

Mrs. Wilkins reported that they raised over one thousand dollars with the garden tour. They have made just over fourteen thousand five hundred dollars over the last six weeks.

Mr. Solomon reported that the deed restrictions should not be a problem. It won't be a formal declaratory judgment saying that the deed restriction is not enforceable but the title company issuing the policy and insuring the school is willing to attach a Ryder or amend the policy in some way to include that deed restriction. Mr. Solomon said he is currently working with John Graham the president of First American Title.

8. Resolution 2004-R011: Discussion and action concerning Resolution 2004-R011 (final adoption of the FY 04/05 Budget).

Motion by Scott Cray/Pete Hunt to approve Resolution number 2004-R011 adopting the budget for the fiscal year 2004-2005.

Vote:	Ayes:	Kay Dyson Mary Nedrow Mark Baca Scott Cray Pete Hunt
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9. Appointment of Zoning Administrator: Discussion and action concern council appointment of Larisa Bogardus as the Zoning Administrator.

Motion by Scott Cray/Mark Baca to appoint Community Development Director Larisa Bogardus as the Springerville Zoning Administrator.

Vote:	Ayes:	Kay Dyson Mary Nedrow Mark Baca Scott Cray Pete Hunt
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10. Rezone Appeal 2004-R001 (Parcel 105-21-091): Discussion and action concerning an appeal of the Planning and Zoning recommendation of denial for the rezoning of parcel 105-21-091.

Ms. Bogardus explained that in doing some background research the one distinction she found is that technically this lot is not in a commercial corridor and it is off Main Street. This issue was brought before the council previously and was denied because of concerns with traffic, noise, parking and future use of the property in a commercial capacity and the devaluation of residential property. This property is bordered by commercial property to the east and north. The northern fifty feet of the lot falls within the commercial zone and a small business is located there.

Mayor Dyson stated that this rezone or change went before the commission and was denied and is now before the council for consideration.

Councilman Hunt declared a conflict of interest with a right to abstain from voting but stated that he reserves the right to participate in public discussion.

Mr. Muth stated that the planning and zoning commission omitted the reasons for their recommendation of denial. He further stated that the property on Pinal Street is still on the 300 ft. corridor as designated on the planning and zoning map. The property has been used for a year and one half for its current use and he did not know of any complaints and any concerns can be addressed without a denial.

Vice-Mayor Nedrow stated that she had received complaints regarding stacked pallets, trucks and noise from trucks and there not being a buffer for the noise and asked whether these were permitted uses.

Mr. Garms explained that some of the uses that are currently being used on this property would have to be a conditional use where the town could have a little more control.

Councilman Hunt explained that as a rezone they have the right to set the standards for that commercial property. Most of the commercial ventures that go on in that property in addition would require a conditional use permit which would set the standards for that property. If the design of that property is to become commercial for some future use it would still have to go before the commission and the council if there is disagreement, in order to have it approved. It is not going to change anything by making it commercial, simply clean up the neighborhood.

Ms. Bogardus noted that anything that would involve noise, odor, and disruption of the peace of the neighborhood is listed in the conditional use category.

Mr. Garms assured the council that should any of these things occur, enforcement action can be taken if there is a complaint that can be substantiated.

Mr. Muth advised the council that Mr. Johnson has stated that he is going to continue with its current use as it is. He also indicated that he would go to the planning and zoning to apply for a conditional use permit if he proposes a use that does not follow the C-1.

Mayor Dyson asked if this could be considered or designated as multiple use, or a mixed use property. In doing so, when they come forward to ask for a designated use they follow the rezone plan and have a site plan, with a buffer as part of that plan.

Motion by Scott Cray/Mark Baca to reject the Planning and Zoning recommendation and authorize the rezoning of parcel # 105-21-091 to C-1 from R1-7.

Mayor Dyson explained that if this becomes a C-1 and there is a non-conforming use they will have to go back to the Planning and Zoning Commission and given a conditional use permit.

Mr. Garms reiterated that there would have to be a majority vote to overturn the decision of the Planning and Zoning Commission. The conditions are spelled out in the code and anything that is non-compliant with the code will require a conditional use. Should there be complaints about odor, noise, there are ordinances that can be enforced to stop it. Parking trucks would require a conditional use.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray

11. Rezone of Parcel 105-21-090: Discussion and action concerning the Planning and Zoning recommendation of approval of rezoning of parcel 105-21-090

Motion by Scott Cray/Pete Hunt to accept the planning and zoning commission's recommendation to rezone parcel 105-21-090.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

12. Extension and assignment of a Cable TV Franchise: Discussion and action concern the request for and extension and assignment of the cable TV franchise for Eagle West Communications, Inc.

Mayor Dyson explained that the Cable TV franchise with Eagle West LLC expired on April 20, 2004. They are asking the town to extend the agreement for ten years.

Mr. Ernest McKay with Eagle West Communications Inc. introduced himself and explained that they are in the process of buying Eagle West LLC out of bankruptcy but are keeping the name.

Motion by Mary Nedrow/Pete Hunt to authorize the proposed extension and assignment of a Cable TV Franchise to Eagle West Communications, Inc.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

13. Ordinance No. 2004-006: Discussion and action concerning Ordinance # 2004-006 amending the number of Ordinance 2004-004 relating to the use of ATVs in Springerville.

An Ordinance of the Town of Springerville Arizona amending the number of Ordinance 2004-004 relating to the use of "ATV's" within the Town of Springerville Municipal Boundaries, renumbering it to 2004-005 and establishing and effective date read by Mayor Dyson.

Motion by Pete Hunt/Mary Nedrow to approve Ordinance # 2004-006 amending the number of Ordinance 2004-006 relating to the use of ATVs within the Town of Springerville.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow

Mark Baca
Scott Cray
Pete Hunt

14. Adjournment

Motion by Mary Nedrow/Pete Hunt to adjourn the meeting.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Scott Cray
		Pete Hunt

The meeting adjourned at 7:38pm

Kay Dyson, Mayor

ATTEST:

Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday August 18, 2004. I further certify that the meeting was duly called and a quorum was present.

Dated this 23rd day of August 2004

Town Clerk